



**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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## **NOTICE OF MEETING**

### **STATE PUBLIC WORKS BOARD**

**Monday, January 12, 2015, at 11:00 a.m. in  
Room 113, State Capitol, Sacramento, California**

#### **AGENDA**

- I.** Roll Call
- II.** Approval of minutes from the December 12, 2014 meeting
- III.** Consent Items Page 2
- IV.** Action Item Page 13
- V.** Reportables Page 24

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Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Aurelia Bethea at (916) 445-9694 or e-mail to [aurelia.bethea@dof.ca.gov](mailto:aurelia.bethea@dof.ca.gov) five days prior to the meeting.

## CONSENT ITEMS

### CONSENT ITEM—1

JUDICIAL COUNCIL OF CALIFORNIA (0250)  
EDMUND D. EDELMAN CHILDREN'S COURTHOUSE  
LOS ANGELES COUNTY

JC Facility Number 19-Q1, DGS Parcel No. 10804

*Authority: Trial Court Facilities Act of 2002, Chapter 1082, Statutes of 2002, commencing with Section 70301 of the Government Code, as amended.*

**Consider accepting real property through a transfer of title**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—1

Judicial Council of California  
Edmund D. Edelman Children's Courthouse  
Los Angeles County

#### Action Requested

**If approved, the requested action would authorize the acceptance of real property through a transfer of title.**

#### Scope Description

**This transaction is within scope.** The requested action would authorize the acceptance of a transfer of title to the Edmund D. Edelman Children's Courthouse pursuant to that certain Transfer Agreement between the Judicial Council of California (JC) and the County of Los Angeles (County) for the Transfer of Responsibility and Transfer of Title to Court Facilities dated November 18, 2008 (Transfer Agreement). The Court Facility, built in 1992, is located at 201 Centre Plaza Drive, Monterey Park, California consists of approximately 6 acres of real property improved with a six story courthouse building, an onsite five-story parking structure, and associated landscaping. This will be a no-cost transfer of title; the JC has been responsible for the funding and operation of the Court Facility.

### Funding and Cost Verification

**This transaction is within cost.** The County shall be entitled to compensation for its equity should the state decide to exercise its rights under Government Code sec. 70344(b). The only costs associated with acceptance of this no-cost acquisition are the staff costs to process the acceptance.

### CEQA

A Notice of Exemption was filed with the State Clearinghouse on July 10, 2012, and the 35-day statute of limitations period expired on August 29, 2012.

### Project Schedule

Close of escrow            January 2015

### Condition of Property

Phase I and Phase II Environmental Site Assessments (ESA) were conducted for the building and seismic assessments. The following findings were made:

#### **Phase 1 ESA**

- A 6,000-gallon diesel underground storage tank (UST) on the south-central side of the site was considered to be a recognized environmental concern (REC).
- A dump facility located at McBride Avenue was located approximately 0.43 miles south of the Court Facility and closed in 1959. Because it was possible that a vapor encroachment condition (VEC) could have existed beneath the site as a result of the prior presence of this dump, an additional REC was noted.

Based on these findings, it was recommended that a Phase 2 ESA be conducted.

#### **Phase 2 ESA**

- A Phase 2 analysis was completed in June of 2013. Soil samples were collected and it was found that arsenic concentrations were within EPA-reported California background range and California Administrative Manual 17 metal concentrations were below the respective residential screening levels.
- Total petroleum hydrocarbons (TPH) gasoline were found; TPH-diesel and oil detections did not exceed soil screening levels established by the Los Angeles Regional Water Quality Board in 1996. No volatile organic compounds (VOCs) were found. Ground water investigation indicated that metals were below California Maximum Contaminant Levels. No TPH nor VOCs were found in the ground water.
- Soil vapor studies indicated that concentrations of benzene, xylene, and toluene are below California Human Health Screening Levels (CHHSL) for shallow gas established by the California Environmental Protection Agency. Since no CHHSL has been published for five analytes detected in the soil vapors, AECOM ran a Human and Ecological Risk Division (HERD) Soil Gas Screening model for the five detected analytes. All the chemicals of concern were below thresholds of concern, using standard HERD model assumptions. It is recommended that dust control be conducted during earthwork at the site. However, there is no current construction at the site.

**Seismic Safety Assessment of the Improvements** - Simpson, Gumperz & Heger, performed a Tier I and Tier 2 seismic safety assessment of the building in September of 2003, in accordance with the method and criteria developed by the Department of General Services' Real Estate Services Division. Rutherford & Chekene on July 29, 2008 verified that the parking structure was a level IV.

The seismic safety rating determined that the building has a seismic safety rating of Level IV, as defined in the Risk Acceptability Table of the State Building Seismic Program, developed by the Division of State Architect, April 1994, which is an acceptable seismic safety rating for the transfer of the title to the Court Facility to the State under Government Code Section 70327.

Other:

- This Court Facility is a shared use facility occupied by the Superior Court and the County.
- The Joint Occupancy Agreement between the County and the JC identifies the Court Exclusive Use Area in the Court Facility as approximately 143,700 square feet (sf) and the County Exclusive Use Area as approximately 61,600 sf.
- The Transfer Agreement states that the Occupancy Agreements held by the County would be assigned to the JC pursuant to Assignment of Occupancy Agreements. There were 12 License Agreements that were assigned to the JC when the Transfer Agreement was executed. Currently there are ten License Agreements that superseded the Assignment of Occupancy Agreements and an additional five new License Agreements.
- The County has agreed to indemnify the JC for any liability imposed on the JC pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9601 et seq.), or related provisions for conditions at the time of transfer whether known or not known that existed in, on, or under the real property.
- Specific to the terms of the Transfer Agreement, the County will continue to own and maintain, and the state will have uninterrupted use of and access to the Building Software and associated hardware.
- In accordance with the Act, the Transfer Agreement provides for the same amount of parking that served the Court Facility in October 2001.
- The Transfer Agreement requires that delivery of title to the property would be free and clear of any mortgages or liens.
- Concurrently with the transfer of title to the Court Facility, the JC will purchase an owner's policy of title insurance for the Court Facility from the title company.
- The JC is not aware of any pending lawsuits or implied dedication concerning the property.
- There are no historic issues or relocation assistance associated with this court transfer.

**Staff Recommendation:**      **Authorize the acceptance of real property through a transfer of title.**

## CONSENT ITEMS

### CONSENT ITEM—2

CALIFORNIA HIGHWAY PATROL (2720)  
TRUCKEE REPLACEMENT FACILITY  
NEVADA COUNTY  
DGS Parcel No. 10833

*Authority: Chapter 25, Statutes of 2014, Item 2720-301-0044(6)*

**Consider authorizing acquisition**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—2

California Highway Patrol  
Truckee Replacement Facility  
Nevada County

Action Requested

**If approved, the request would authorize acquisition.**

Scope Description

**This project is within scope.** This request would authorize the California Highway Patrol (CHP) to pursue the purchase of approximately 5.32 acres of land area located at 9646 Donner Pass Road in the Town of Truckee, Nevada County (the Property), for the construction of a replacement CHP area office. The Property is currently improved with an old commercial building containing approximately 5,700 sf of building area. The replacement area office will include a 33,654 sf office building with an auto service area, a fuel island, a property storage building, and miscellaneous areas to house HVAC equipment, a radio antenna tower, a generator and gas tanks.

### Funding and Cost Verification

**This project is within cost.** Chapter 25, Statutes of 2014, Item 2720-301-0044(6) provides \$5,878,000 Motor Vehicle Account for the acquisition phase (\$4,159,000) and performance criteria phase (\$1,719,000). The Property can be acquired with the funds available and in accordance with legislative intent.

### CEQA

A Notice of Exemption was filed with the State Clearinghouse on May 15, 2014, and the 35-day statute of limitations period expired June 19, 2014, without challenge.

### Project Schedule

The anticipated close of escrow: February 2015

### Condition of Property Statement

On October 15, 2013, DGS visited property located at the southwest corner of the traffic circle of Lincoln Highway/Donner Pass Road and Pioneer Trail in the Town of Truckee, Nevada County, California. The irregular-shaped parcel is bounded on the north and west by Pioneer Trail, on the south by Interstate 80/State Route 89, and Lincoln Highway/Donner Pass Road on the east. The parcel is developed with a vacated two story office building, paved surface parking, driveways accessing from an abandoned two-lane roadway that cuts through south part of the parcel, tall evergreen trees, and low-lying vegetation. Surface drainages or prominent topographic features were not observed on the parcel. A sidewalk is constructed along the east side of the parcel and to the south is a paved bike pathway connected to the Pioneer Bike Trail. The general land uses surrounding the parcel are compatible with a CHP office.

### Phase I Environmental Site Assessment (ESA) Summary

A Phase I Environmental Site Assessment (ESA) was completed in June 2014 and reviewed by DGS-ESU staff. The site was an undeveloped tree-covered property from at least 1895 to the early 1970's. The US Forest Service used the existing on-site building for administrative purposes until 2011. Due to the age of the structure (built in 1972), a hazardous building materials survey should be conducted for the on-site structure prior to demolition.

No Recognized Environmental Conditions (RECs), Controlled RECs, or Historical RECs were identified at the site.

### Other:

- The Board approved site selection for this property on June 13, 2014.
- The purchase price of \$2,800,000 does not exceed the estimated fair market value of the property as determined by a DGS approved appraisal.
- There is no implied dedication on the property.
- DGS is not aware of any lawsuits pending concerning the property. The Property Acquisition Agreement will require delivery of title to the property free and clear of any mortgages or liens.
- The proposed acquisition is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq, as the site supports efficient development patterns near existing developed areas with adequate transportation and other essential utilities and services.

**Staff Recommendation: Authorize acquisition.**

## CONSENT ITEMS

### CONSENT ITEM—3

**CALIFORNIA HIGHWAY PATROL (CHP) (2720)**

**CHP ENHANCED RADIO SYSTEM: REPLACE TOWERS AND VAULTS, PHASE 2  
MONO COUNTY**

*Authority: Chapter 712, Statutes of 2010, Item 2720-301-0044(2) as reappropriated by the  
Budget Acts of 2012, 2013, and 2014  
Chapter 33, Statutes of 2011, Item 2720-301-0044(2) as reappropriated by as  
reappropriated by the Budget Act of 2012, 2013, and 2014*

**Consider approving preliminary plans for the Crestview Peak site**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—3

Department of California Highway Patrol  
CHP Enhanced Radio System Replace Towers and Vaults, Phase 2  
Mono County

Action requested

**If approved, the requested action would approve preliminary plans for the Crestview Peak site.**

Scope Description

**This project is within scope.** The project will construct a self-supporting radio tower, a pre-fab radio equipment vault, generator vault with emergency generator and all associated support infrastructure as well as the extension of underground utilities and site fencing. The new facility shall be built to meet essential services seismic standards.

### Funding and Cost Verification

**This project is not within cost.** The Budget Act of 2010 provides \$2.8 million Motor Vehicle Account (MVA) for the preliminary plans and working drawings for six tower and vault replacements, including the Crestview vault replacement. The Budget Act of 2011 provides an additional \$12.3 million MVA for acquisition and construction, including the authority necessary for this requested acquisition of fee simple title. Augmentations were approved in February 2012 for \$85,000, January 2013 for an additional \$15,000, and April 2013 for \$159,000. The property can be acquired with the funds available and in accordance with legislative intent.

Funding for the working drawing phase for this site requires a redirection of \$123,000 from another tower site within CHPERS-Phase II as project delays have led to a code change for high snow tower design. Other fee increases include full-time inspection for an Essential Service Facility, project management hourly rates and special consultants. In addition, the site has an estimated construction deficit of \$471,000, which will drive the need to redirect from another site or to augment the project should DGS be unable to reduce the amount of deficit for this site. If the full amount requires augmentation, it would represent a project shortfall of 4.8 percent based on this site and previous project augmentations.

\$15,375,000 total authorized project costs

\$15,375,000 total estimated project costs

\$ 4,367,000 funds previously allocated: \$306,000 acquisition, \$1,637,000 preliminary plans, \$678,000 working drawings, and \$1,746,000 construction (\$997,000 contract, \$50,000 contingency, \$232,000 A&E Services, and \$467,000 other project cost).

\$10,393,000 project costs to be allocated: \$615,000 working drawings and \$10,393,000 construction (\$8,078,000 contract, \$404,000 contingency, \$819,000 A&E Services, and \$1,092,000 other project cost)

### CEQA

A Notice of Exemption was filed with the State Clearinghouse on September 30, 2014 and the 30-day statute of limitations expired on October 30, 2014 without challenge.

### Real Estate Due Diligence

An agreement has been reached with the United States Forest Service (USFS) that will allow CHP to construct and operate the radio tower. DGS indicates that a ground lease with the USFS will be executed in January 2015 that will allow CHP access to the site for the next 30 years.

### Project Schedule

Approve preliminary plans	January 2015
Approve working drawings	August 2015
Start construction	November 2015
Complete construction	July 2017

**Staff Recommendation: Approve preliminary plans for the Crestview Peak site.**

## CONSENT ITEMS

### CONSENT ITEM—4

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
JAIL PROJECT  
MADERA COUNTY

*Authority: Sections 15820.91 – 15820.917 of the Government Code*

**Consider recognizing revised project costs**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—4

Department of Corrections and Rehabilitation  
Jail Project  
Madera County

#### Action Requested

**If approved, the requested action would recognize revised project costs.**

#### Scope Description

**This project is within scope.** This project will design and construct renovations to and an expansion of the existing county jail located on a greater 38± acre parcel of county-owned land located in the city of Madera.

The expansion will provide approximately 10,000 square feet of space directly adjacent to the jail for a new kitchen, laundry, commissary, storage space, and maintenance shop. The renovations to the existing jail will include a new negative pressure medical cell.

This project will include, but is not limited to, electrical; plumbing; mechanical; heating, ventilation, and air conditioning; security; and fire protection systems. The building will be constructed of steel and concrete for long-term durability. In addition, there will be secure fencing surrounding the facility to provide grounds security.

#### Funding and Project Cost Verification

**This project is not within cost.** On March 8, 2013, the Board took an action establishing the scope, cost, and schedule of this project, allocating \$3,000,000 of the \$854,229,000 lease revenue bond financing authority appropriated in section 15820.913 of the Government Code to partially finance the design and construction of this project. At the time of establishment, total estimated project cost was \$3,258,000. On June 14, 2013, the Board took an action to approve preliminary plans and to recognize revised project costs in the amount of \$3,164,000. Subsequent to that action, a revised cost estimate was prepared by the county in association with the receipt of the construction bids and preparation to award a construction contract. Based on this revised estimate, the current total estimated project cost is \$4,804,000, which is an increase of \$1,640,000. This increase is based on the lowest construction bid received by the county. This action will recognize these revised project costs as detailed below.

\$3,164,000	total authorized project cost
\$4,804,000	total estimated project cost
\$2,906,000	state costs previously allocated: construction (\$2,438,000 contract, \$244,000 contingency, \$50,000 A&E, and \$174,000 other project costs)
\$ 94,000	state costs net increase: construction (an increase of \$387,000 contract, a decrease of \$244,000 contingency and \$50,000 A&E, and an increase of \$1,000 other project costs)
\$ 258,000	local costs previously allocated: \$13,000 acquisition/study, \$55,000 preliminary plans, \$119,000 working drawings, and \$71,000 construction (\$10,000 A&E and \$61,000 other project costs)
\$1,546,000	local costs net increase: increase of \$3,000 acquisition/study, and \$18,000 preliminary plans, a decrease of \$27,000 working drawings, and an increase of \$1,552,000 construction (\$1,109,000 contract, \$394,000 contingency, \$40,000 A&E, and \$9,000 other project costs)

#### CEQA

A Notice of Determination was filed with the State Clearinghouse on August 27, 2007, and the statute of limitations expired on September 26, 2007, without challenge.

#### Real Estate Due Diligence

A Summary of Conditions Letter for this project was completed on April 29, 2010, and an update was completed on November 8, 2010. The updated letter indicates no issues that would adversely affect the quiet use and enjoyment of the project were identified.

#### Project Schedule

Approve preliminary plans	June 2013
Complete working drawings	April 2014
Start construction	January 2015
Complete construction	February 2016

**Staff Recommendation: Recognize revised project costs.**

## CONSENT ITEMS

### CONSENT ITEM—5

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225)  
ADULT LOCAL CRIMINAL JUSTICE PROJECT  
ORANGE COUNTY

*Authority: Sections 15820.92 – 15820.926 of the Government Code*

**Consider establishing scope, cost, and schedule**

## CONSENT ITEMS

### STAFF ANALYSIS ITEM—5

Department of Corrections and Rehabilitation  
Adult Local Criminal Justice Project  
Orange County

#### Action Requested

**If approved, the requested action would establish the project scope, cost, and schedule.**

#### Scope Description

This project will design and construct an expansion of the county's new AB 900 Phase II jail on county-owned land. The expansion will include housing, program, and treatment space, and add approximately 384 new minimum and medium security beds.

The new housing area will include double occupancy cells and 8-person mini dorms; day rooms; and program, treatment, recreation, and storage space. The expansion will also include officer stations; interview rooms; and office, medical exam, video visitation, and central support space.

The project will also include two new stand-alone buildings providing maintenance and storage space, and a paved parking lot adjacent to the maintenance building.

The project will also include, but is not limited to, site improvements; additional staff parking spaces; site utilities and infrastructure; electrical; plumbing; computerized heating, ventilation, and air conditioning; security; emergency power; and fire protection systems.

#### Funding and Project Cost Verification

Section 15820.922 of the Government Code (SB 1022) appropriates \$500,000,000 lease revenue bond financing authority to partially finance the design and construction of adult local criminal justice facilities. Award of this funding to individual counties is administered by the Board of State and Community Corrections (BSCC). The BSCC has conditionally awarded \$80,000,000 from this appropriation to Orange County for this project. All acquisition/study and any design and construction costs in addition to this amount will be paid by the county. This action would allocate \$80,000,000 from this appropriation to complete design and construction of this project.

\$89,629,000	total estimated project cost
\$80,000,000	state costs allocated: \$1,883,000 preliminary plans, \$2,711,000 working drawings, and \$75,406,000 construction (\$66,628,000 contract, \$4,389,000 contingency, \$901,000 A&E, and \$3,488,000 other project costs)
\$ 9,629,000	local costs allocated: \$8,585,000 acquisition, \$33,000 preliminary plans, \$31,000 working drawings, and \$980,000 construction (\$901,000 contract, and \$79,000 other project costs)

#### CEQA

An Environmental Impact Report for the project was prepared and a Notice of Determination (NOD) was filed with the State Clearinghouse on October 8, 2013. The City of Irvine challenged the NOD and filed a Petition for Writ of Mandate on January 8, 2014, to compel the County to rescind the SB 1022 proposal, and take no action until full compliance with the requirements of CEQA is met. Included in the Writ of Mandate filing is a Complaint for Injunctive Relief. Judgment was entered in favor of the County on July 29, 2014. On September 26, 2014, Irvine filed a Notice of Appeal. It is anticipated that the briefing will occur in Spring 2015, with oral argument scheduled in Fall 2015, and a decision by the end of 2015. Until litigation is resolved, bonds may not be able to be sold.

#### Real Estate Due Diligence

Real estate due diligence for this project is currently under review and will be completed prior to seeking approval of preliminary plans.

#### Project Schedule

Approve preliminary plans	March 2016
Complete working drawings	March 2017
Start construction	September 2017
Construction complete	November 2019

**Staff Recommendation: Establish scope, cost, and schedule.**

## ACTION ITEMS

### ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
TULARE COUNTY**

Canal property between APN 291-070-010 and APN 291-070-002

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)*

**Consider approving site selection**

## ACTION ITEMS

### STAFF ANALYSIS ITEM—1

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Tulare County

Action Requested

**If approved, the requested action would approve site selection of the canal property between APN 291-070-010 and APN 291-070-002 in part or in full.**

Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, and the construction of dozens of grade separations, and multiple bridges and viaducts. The IOS-1, also referred to as the First Construction Segment, is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for acquisition of approximately 1,100 parcels and the construction of the 130-mile IOS-1.

### Background

To date, the State Public Works Board has site selected 1,086 parcels comprising the northernmost approximately 92 miles of the IOS-1. The canal property that is the subject of this site selection lies between two parcels, Assessor's Parcel Number (APN) 291-070-010 and APN 291-070-002 that were site selected at the December 12, 2014 Board meeting. After additional investigation, the Authority has concluded that there is no unique APN for the canal property.

The parcel subject to this site selection lies within the Fresno to Bakersfield segment. For this segment, the CEQA Notice of Determination was filed on May 8, 2014 and the associated Federal Record of Decision was released by the Federal Railroad Administration on June 27, 2014, thereby completing the NEPA process. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Site selection for a transportation corridor, highway or rail alignment differs from traditional single-parcel Board requests. Parcels required for highway and rail alignments involve several miles comprising a longitudinal corridor, rather than a single, specific parcel where other location options may be considered. Because of the type of infrastructure for this project it is not possible to simply reject a parcel and move to the right or left. For instance, a high-speed train travelling at 200+ miles per hour requires 4 to 5 miles to perform a 90-degree turn. The alignment, as determined through the environmental processes, determines the sites that must be acquired.

**Staff Recommendation:**      **Approve site selection of the canal property between APN 291-070-010 and APN 291-070-002.**

## ACTION ITEMS

### ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)  
INITIAL OPERATING SEGMENT, SECTION 1  
MULTIPLE PROPERTY CONDEMNATIONS  
MADERA AND FRESNO COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1)  
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1)  
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)  
Section 15854 of the Government Code*

**Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain (condemnation) to acquire the following properties:**

- 1. Ellis Family Partnership Property (Fresno County)  
Assessor Parcel Number: 510-100-12  
Authority Parcel Numbers: MF-10-0106-1, MF-10-0106-2,  
MF-10-0106-3, and MF-10-0106-4**
- 2. Kalebjian Property (Fresno County)  
Assessor Parcel Number: 335-090-18  
Authority Parcel Number: FB-10-0313-1**
- 3. Marquez Investment Group Property (Fresno County)  
Assessor Parcel Number: 510-090-43  
Authority Parcel Numbers: MF-10-0098-1, MF-10-0098-2 and MF-10-0098-3**
- 4. Origel Property (Fresno County)  
Assessor Parcel Number: 480-154-11  
Authority Parcel Number: FB-10-0650-1**
- 5. Fresno Kelsam (Fresno County)  
Assessor Parcel Number: 330-211-10  
Authority Parcel Numbers: FB-10-0599-1 and FB-10-0599-2**
- 6. Moles Family Farms Property (Fresno County)  
Assessor Parcel Number: 330-190-22  
Authority Parcel Number: FB-10-0596-1**
- 7. Parallamo Property (Fresno County)  
Assessor Parcel Number: 467-050-28S  
Authority Parcel Number: FB-10-0170-1**
- 8. Barley Equities Property (Fresno County)  
Assessor Parcel Number: 487-140-51  
Authority Parcel Numbers: FB-10-0244-1, FB-10-0244-2,  
FB-10-0244-3, and FB-10-0244-01-01**

9. **Raco Property (Fresno County)**  
Assessor Parcel Number: 330-211-05  
Authority Parcel Number: FB-10-0273-1
10. **Dilldine Property (Fresno County)**  
Assessor Parcel Number: 478-163-03  
Authority Parcel Number: FB-10-0188-1
11. **C&S Logistics of Fresno Property (Fresno County)**  
Assessor Parcel Numbers: 487-140-39S, 487-140-48 and 487-140-49  
Authority Parcel Numbers: FB-10-0235-1, FB-10-0235-2, FB-10-0235-01-01, FB-10-0242-1, FB-10-0242-2, FB-10-0242-01-01, FB-10-0243-1, FB-10-0243-2, and FB-10-0243-01-01
12. **Liu Property (Fresno County)**  
Assessor Parcel Number: 330-211-13  
Authority Parcel Numbers: FB-10-0277-1, FB-10-0277-2, FB-10-0277-3
13. **Marino Property (Fresno County)**  
Assessor Parcel Number: 330-211-30  
Authority Parcel Numbers: FB-10-0278-1 and FB-10-0278-01-01
14. **Sahatdjian Property(Fresno County)**  
Assessor Parcel Number: 508-020-24S  
Authority Parcel Numbers: MF-10-0259-1 and MF-10-0259-2
15. **Romine Property (Madera County)**  
Assessor Parcel Numbers: 035-110-029, 035-110-020, and 035-110-021  
Authority Parcel Numbers: MF-20-0958-1, MF-20-0959-1, MF-20-0960-1
16. **Morgan (Fresno County)**  
Assessor Parcel Number: 335-140-32  
Authority Parcel Number: FB-10-0330-1
17. **Crown Enterprises Property (Fresno County)**  
Assessor Parcel Number: 330-060-46S  
Authority Parcel Numbers: FB-10-0253-1, FB-10-0253-01-01 and FB-10-0253-02-01
18. **McLain Property (Fresno County)**  
Assessor Parcel Number: 335-170-21S  
Authority Parcel Numbers: FB-10-0340-1 and FB-10-0340-2
19. **Center Point Property (Madera County)**  
Assessor Parcel Number: 047-240-003  
Authority Parcel Numbers: MF-20-0914-1, MF-20-0914-2, MF-20-0914-3, and MF-20-0914-4
20. **Bishop Property (Fresno County)**  
Assessor Parcel Number: 510-460-05  
Authority Parcel Numbers: MF-10-0100-1, MF-10-0100-2 and MF-10-0100-01-01
21. **Patel Property (Fresno County)**  
Assessor Parcel Number: 450-280-12  
Authority Parcel Numbers: FB-10-0081-1, FB-10-0081-2 and FB-10-0081-3

**22. Gejeian 0323 Property (Fresno County)**

**Assessor Parcel Number: 335-100-11**

**Authority Parcel Number: FB-10-0323-1**

**23. Gejeian 0324 Property (Fresno County)**

**Assessor Parcel Number: 335-140-05**

**Authority Parcel Numbers: FB-10-0324-1 and FB-10-0324-2**

**24. Lawrence Property (Fresno County)**

**Assessor Parcel Number: 335-090-17**

**Authority Parcel Numbers: FB-10-0312-1 and FB-10-0312-2**

**25. Dobales Property (Madera County)**

**Assessor Parcel Number: 035-092-013**

**Authority Parcel Numbers: MF-20-1002-1 and MF-20-1002-01-01**

## **ACTION ITEMS**

### **STAFF ANALYSIS ITEM—2**

High Speed Rail Authority  
Initial Operating Segment, Section 1  
Multiple Property Condemnations  
Madera and Fresno Counties

Action Requested

**If approved, the requested action would adopt 24 Resolutions of Necessity authorizing the use of eminent domain (condemnation) to acquire properties totaling approximately 31.7 acres located in Madera and Fresno Counties.**

Scope Description

**This project is within scope.** The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 130 miles starting near Madera (north of Fresno) and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,100 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

### Funding and Cost Verification

**This project is within cost.** Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1.

### Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain (condemnation) proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record, or, in regards to the Reyes property, an offer has not been made to the owner of record because the owner cannot be located with reasonable diligence.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to near Bakersfield.

The Property Acquisition Law, commencing with Section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the 24 properties is within the right of way for IOS-1 and were site selected at the January 2013, November 2013, April 2014, or May 2014 Board meetings. The site selections took place after an extensive environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between May 2013 and October 2014, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the property have been unsuccessful to date, thereby precipitating the need to adopt a Resolution of Necessity to authorize the use of eminent domain.

On December 18<sup>th</sup>, 22<sup>nd</sup> and 23<sup>rd</sup>, 2014, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

**Property Specific Information:**

1. **Ellis Family Partnership Property (Fresno County)**  
Assessor Parcel Number: 510-100-12  
Authority Parcel Numbers: MF-10-0106-1, MF-10-0106-2,  
MF-10-0106-3, and MF-10-0106-4  
Partial Acquisition, 1.76 acres (1.07 in fee, 0.69 acre in temporary construction easement)

**This property will be needed for the realignment of N. Golden State Boulevard at the southwest corner of N. Golden State Boulevard and W Richert Ave.**

2. **Kalebjian Property (Fresno County)**  
Assessor Parcel Number: 335-090-18  
Authority Parcel Number: FB-10-0313-1  
Partial Acquisition, 2.2 acres in fee

**This property will be needed for the construction of the HSTS between E. Adams Avenue and E. Sumner Avenue**

3. **Marquez Investment Group Property (Fresno County)**  
Assessor Parcel Number: 510-090-43  
Authority Parcel Numbers: MF-10-0098-1, MF-10-0098-2 and MF-10-0098-3  
Partial Acquisition, 0.60 acres (0.54 acres in fee, 0.06 acres in temporary construction easement)

**This property will be needed for the construction of Golden State Boulevard between W. Richert Avenue and W. Santa Ana Avenue**

4. **Origel Property (Fresno County)**  
Assessor Parcel Number: 480-154-11  
Authority Parcel Number: FB-10-0650-1  
Partial Acquisition, 0.02 acres in fee

**This property will be needed for the construction of the S. East Avenue right turn lane to Belgravia Avenue.**

5. **Fresno Kelsam (Fresno County)**  
Assessor Parcel Number: 330-211-10  
Authority Parcel Numbers: FB-10-0599-1 and FB-10-0599-2  
Partial Acquisition, 0.51 acres in fee

**This property will be needed for the construction of the E. American Avenue grade separation at the northeast corner of E. American Avenue and S. Cedar Avenue.**

**6. Moles Family Farms Property (Fresno County)**

**Assessor Parcel Number: 330-190-22**

**Authority Parcel Number: FB-10-0596-1**

**Partial Acquisition, 0.01 acres in fee**

**This property will be needed for the construction of E. American Avenue grade separation at the northwest corner of E. American Avenue and S. Cedar Avenue.**

**7. Parallamo Property (Fresno County)**

**Assessor Parcel Number: 467-050-28S**

**Authority Parcel Number: FB-10-0170-1**

**Partial Acquisition, 0.20 acre in fee**

**This property will be needed for the construction of the Ventura Avenue undercrossing at the northwest corner of Ventura Avenue and H Street.**

**8. Barley Equities Property (Fresno County)**

**Assessor Parcel Number: 487-140-51**

**Authority Parcel Numbers: FB-10-0244-1, FB-10-0244-2, FB-10-0244-3, and FB-10-0244-01-01**

**Partial Acquisition, 0.35 acres total (0.26 acres in fee, 0.09 acres in permanent easement)**

**This property will be needed for the construction of the HSTS along E. Hardy Avenue west of S. Cedar Avenue.**

**9. Raco Property (Fresno County)**

**Assessor Parcel Number: 330-211-05**

**Authority Parcel Number: FB-10-0273-1**

**Partial Acquisition, 4.30 acres in fee**

**This property will be needed for the construction of high speed train tracks between E. American Avenue and E. Malaga Avenue.**

**10. Dilldine Property (Fresno County)**

**Assessor Parcel Number: 478-163-03**

**Authority Parcel Number: FB-10-0188-1**

**Full Acquisition, 0.17 acre in fee**

**This property will be needed for the construction of the HSTS at the intersection of E. Florence Avenue and S. Sarah Street**

**11. C&S Logistics of Fresno Property (Fresno County)**

**Assessor Parcel Numbers: 487-140-39S, 487-140-48 and 487-140-49**

**Authority Parcel Numbers: FB-10-0235-1, FB-10-0235-2, FB-10-0235-01-01, FB-10-0242-1, FB-10-0242-2, FB-10-0242-01-01, FB-10-0243-1, FB-10-0243-2, and FB-10-0243-01-01**

**Partial Acquisition, 2.92 acres total (2.11 acres in fee, 0.81 acre in permanent easement)**

**This property will be needed for the construction of the HSTS between S. Golden State Boulevard and E. North Avenue.**

**12. Liu Property (Fresno County)**

**Assessor Parcel Number: 330-211-13**

**Authority Parcel Numbers: FB-10-0277-1, FB-10-0277-2, FB-10-0277-3**

**Partial Acquisition, 5.36 acres in fee**

**This property will be needed for the construction of the HSTS and E. American Avenue grade separation between S. Cedar Avenue and S. Maple Avenue.**

**13. Marino Property (Fresno County)**

**Assessor Parcel Number: 330-211-30**

**Authority Parcel Numbers: FB-10-0278-1 and FB-10-0278-01-01**

**Full Acquisition, 1.35 acres in fee**

**This property will be needed for the E. American Avenue grade separation.**

**14. Sahatdjian Property(Fresno County)**

**Assessor Parcel Number: 508-020-24S**

**Authority Parcel Numbers: MF-10-0259-1 and MF-10-0259-2**

**Partial Acquisition, 0.09 acre total (0.06 acre in fee, 0.03 acre in temporary construction easement)**

**This property will be needed for the realignment of N. Golden State Boulevard at the eastern intersection of W. Barstow Avenue and W. San Madele Avenue.**

**15. Romine Property (Madera County)**

**Assessor Parcel Numbers: 035-110-029, 035-110-020, and 035-110-021**

**Authority Parcel Numbers: MF-20-0958-1, MF-20-0959-1, MF-20-0960-1**

**Partial Acquisition, 1.01 acres in fee**

**This property will be needed for the construction of Avenue 15½ grade separation.**

**16. Morgan (Fresno County)**

**Assessor Parcel Number: 335-140-32**

**Authority Parcel Number: FB-10-0330-1**

**Partial Acquisition, 1.44 acres in fee**

**This property will be needed for the construction of the HSTS between E. South Avenue and E. Manning Avenue.**

**17. Crown Enterprises Property (Fresno County)**

**Assessor Parcel Number: 330-060-46S**

**Authority Parcel Numbers: FB-10-0253-1, FB-10-0253-01-01 and FB-10-0253-02-01**

**Full Acquisition, 1.99 acres in fee**

**This property will be needed for the construction of the HSTS between Route 99 and E. Muscat Avenue.**

**18. McLain Property (Fresno County)**

**Assessor Parcel Number: 335-170-21S**

**Authority Parcel Numbers: FB-10-0340-1 and FB-10-0340-2**

**Partial Acquisition, 0.08 acre total (0.06 acre in fee, 0.02 acre in temporary construction easement)**

**This property will be needed for the construction of the HSTS at the northeast corner of E. Manning Avenue and S. Maple Avenue.**

**19. Center Point Property (Madera County)**

**Assessor Parcel Number: 047-240-003**

**Authority Parcel Numbers: MF-20-0914-1, MF-20-0914-2, MF-20-0914-3, and MF-20-0914-4**

**Partial Acquisition, 8.28 acres in fee**

**This property will be needed for the construction of the HSTS between Avenue 10 and Avenue 11, and for the Avenue 10 and Avenue 11 grade separations.**

## **PROPERTY PULLED**

**20. Bishop Property (Fresno County)**

**Assessor Parcel Number: 510-460-05**

**Authority Parcel Numbers: MF-10-0100-1, MF-10-0100-2 and MF-10-0100-01-01**

**Full Acquisition, 0.47 acre in fee**

**This property will be needed for the construction of the realignment of N. Golden State Boulevard between W. Richert Avenue and W. Santa Ana Avenue.**

**21. Patel Property (Fresno County)**

**Assessor Parcel Number: 450-280-12**

**Authority Parcel Numbers: FB-10-0081-1, FB-10-0081-2 and FB-10-0081-3**

**Partial Acquisition, 0.51 acre total, (0.20 acre in fee, 0.31 acre in temporary construction easement)**

**This property will be needed for the realignment of N. Golden State Boulevard between W. Olive Avenue and N. West Avenue**

**22. Gejeian 0323 Property (Fresno County)**

**Assessor Parcel Number: 335-100-11  
Authority Parcel Number: FB-10-0323-1  
Partial Acquisition, 0.03 acre in fee**

**This property will be needed for the construction of E. South Avenue grade separation located at the northwest corner of E. South Avenue and S. Cedar Avenue.**

**23. Gejeian 0324 Property (Fresno County)**

**Assessor Parcel Number: 335-140-05  
Authority Parcel Numbers: FB-10-0324-1 and FB-10-0324-2  
Partial Acquisition, 5.36 acres in fee**

**This property will be needed for the construction of the HSTS and the E. South Avenue grade separation located between E. South Avenue and the BNSF tracks.**

**24. Lawrence Property (Fresno County)**

**Assessor Parcel Number: 335-090-17  
Authority Parcel Numbers: FB-10-0312-1 and FB-10-0312-2  
Partial Acquisition, 2.17 acres in fee**

**This property will be needed for the construction of the HSTS between E. Adams Avenue and E. Sumner Avenue.**

**25. Dobales Property (Madera County)**

**Assessor Parcel Number: 035-092-013  
Authority Parcel Numbers: MF-20-1002-1 and MF-20-1002-01-01  
Partial Acquisition, 0.90 acre in fee**

**This property will be needed for the construction of the HSTS north of Avenue 15<sup>3</sup>/<sub>4</sub> east of Howard Avenue.**

**Staff Recommendation: Adopt 24 Resolutions of Necessity authorizing the use of eminent domain (condemnation) to acquire properties 1-18 and 20-25 totaling approximately 31.7 acres located in Madera and Fresno Counties.**

**OTHER BUSINESS**

**NONE**

**REPORTABLES**

**To be presented at the meeting.**